<center>**REMARKS**</center>

This amendment responds to the Final Office Action mailed October 17, 2007. In the Final Office Action the Examiner:

- Rejected claims 1-7, 11-19, 23-31 under 35 U.S.C. § 103(a) as being unpatentable over *Carter* et al. (US Patent No. 6,826,557) (hereinafter "*Carter*"), in view of *Emens* al. (US Patent No. 6,832,218) (hereinafter "*Emens*");

- Rejected claims 8, 10, 20, 22 under 35 U.S.C. § 103(a) as being unpatentable over *Carter* in view of *Emens*, and further in view of *Getchius* et al. (US Patent No. 6,493,721) (hereinafter "*Getchius*"); and

- Rejected claims 9, 21 under 35 U.S.C. § 103(a) as being unpatentable over *Carter* in view of *Emens*, and further in view of *Schultz* (US Patent No. 6,208,988).

In this Response, claims 1, 2, 12 and 13 have been amended, and no claims have been canceled. Therefore, claims 1-31 are pending.

The amendments to claims 1, 2, 12 and 13 are supported by at least paragraphs 0013, 0016, 0022 and 0034 of the specification. No new matter has been added.

<center>***CLAIM REJECTIONS UNDER 35 U.S.C. § 103***</center>

Applicants respectfully submit that the cited references, either individually or in combination, do not teach or suggest each and every limitation of independent claims 1, 2, 12 and 13.

<center>***All Pending Claims Are Patentable Over The Cited References, Even Without the Amendments to Claims 1, 2, 12 and 13***</center>

Independent Claims 1 and 12

Claims 1 and 12 require:

> *when predefined conditions are satisfied, including the reuse count being larger than a predetermined threshold count, generating an improved search result* in accordance with a second set of predetermined searching criteria including performing an additional search corresponding to the search query, and returning as the search result at least a subset of the improved search result.... (Emphasis Added).

The claim terms "when predefined conditions are satisfied, including the reuse count being larger than a predetermined threshold count" add a condition to the step that follows (generating an improved search result by performing an additional search corresponding to the search query). Applicants respectfully submit that the Examiner has not shown where in the references, this condition is taught or suggested.

In contrast, *Carter* discloses:

> A cache is then searched for the query and results data responsive to the query, if the query and results data are present in the cache, they are returned. Further, if partial results data exists in the cache then the missing results data are obtained and associated with the query in the cache and a complete response is returned including an assembled results data responsive to the original query. (*Carter*, col. 2, lines 36-44).

> [The method includes] obtaining partial results data for a portion of the normalized query which is not present in the cache, registering and returning the partial results data, and combining the partial results data with the results data to complete a response to the query. (*Carter*, col. 12, lines 10-14).

Thus, even if arguendo, *Carter* discloses generating an improved search result, it does not do this upon satisfaction of the stated (and claimed) condition. Specifically, *Carter* does not teach or suggest generating an improved search result by performing an additional search corresponding to the search query <u>when</u> the reuse count of the cached search result is larger than a predetermined threshold count, as claimed. Rather, *Carter* discloses generating an improved search result when partial results data exists in the cache.

The Examiner relies on *Emens* to supply this limitation. The Examiner states:

> *Carter* does not specifically teach ... including the reuse count being larger than a predetermined threshold count. *Emens* teaches ... the reuse count being larger than a predetermined threshold count (i.e. The count value can also be used to set a minimum threshold of selections before a search result is added to the alternate list, col. 4, lines 47-67). (Office Action dated 10/17/07, page 4).

Emens discloses:

> [A] count of the number of times each hyperlink has previously been selected in response to the same query can also be stored in the database.... The count value can also be used to set a

minimum threshold of selections before a search result is added
to the alternate list. (Emens, col. 4, lines 50-59).

Thus, *Emens* discloses that if the count value of a hyperlink is greater than a threshold, then the hyperlink is added to a list presented to a user. *Emens* does not teach or suggest generating an improved search result <u>by performing an additional search corresponding to the search query when</u> the reuse count of the cached search result is larger than a predetermined threshold count, as claimed.

Applicants further submit that neither *Getchius* nor *Schultz* supplies the missing limitations. Thus, independent claims 1 and 12 and associated dependent claims are patentable over any combination of the cited references.

Independent Claims 2 and 13

Claims 2 and 13 require:

> ***when the reuse count is larger than the predetermined threshold count***, and the quality indication meets the predefined criteria, ***generating an improved search result*** in accordance with a second set of predetermined search criteria using additional search resources, and returning as the search result at least a subset of the improved search result. (Emphasis Added)

As discussed above with reference to claims 1 and 12, the cited references do not teach or suggest "when the reuse count is larger than the predetermined threshold count …, generating an improved search result," as claimed.

As the references do not teach each and every limitation of claims 2 and 13, independent claims 2 and 13 and associated dependent claims are patentable over any combination of the cited references.

For at least these reasons, the rejections of the pending claims under 35 U.S.C. 103(a) should be withdrawn. It is noted that these reasons are independent of the amendments to claims 1, 2, 12 and 13 made in this response.

The Claims As Revised Are Patentable Over The Cited References

All the independent claims have been revised to include the following:

> wherein the cached search result comprises a list of results that satisfy the search query, and the reuse count comprises a number of times that the list of results has been reused to respond to submissions of the search query; …

... wherein the improved search result comprises an
improved list of results that satisfy the search query; ....

Thus, the "cached search result" is defined to be a list of results that satisfy the search query, and the "improved search result" is also defined to be a list of results that satisfy the search result. It is noted that the "improved search result" is for "the search query," **and thus all the pending claims require that the improved search result (which is a list of results) must all satisfy the same search query for which there was a previously cached search result**. Furthermore, the reuse count is a number of times that the cached list of results has been reused to respond to the same search query.

A) Neither *Carter* nor *Emens* nor any logical combination thereof produce an improved search result.

Carter does not produce an "improved search result" as that term is defined by the claims, because the only time *Carter* produces a new search result is when the cache does not contain search results for the submitted query. For example, operations 54, 55, 56 and 58 in Fig. 3 of *Carter* are used to determine if the received query is the same as a query for which results have been cached, or if the received query would produce results that are a subset of the results cached for another query. If the received query is not the same as (or a subset of) any query for which results have been cached, as indicated by a "No" result from any of operations 54, 55 or 56, or a "Yes" result from operation 58, the search process of Fig. 2 is performed to generate a new set of search results for the received query. Thus, *Carter* does not teach producing an improved search result for the same search query for which there was a previously cached search result.

The "create superset" operation of *Carter* does not produce an "improved search result" as that term is defined by the claims, because the superset that is created is always for a different query than one for which results were previously cached. Specifically, Carter discloses:

> Next, the submitted query is searched within the cache
> or data store in step 76, to determine whether the query is in
> fact a duplicate query (step 77), whether the query is a subset of
> another existing query within the cache or data store (step 78),
> or whether the query is a new query which needs to be recorded
> or registered within the cache or data store (step 79)....

Moreover, if a duplicative query is detected within the cache or data store, then the results data which is responsive to that query is immediately located and returned ...to the sender in step 74.

If a decomposed query is determined to be a subset of existing queries or query components in step 78, then a single superset query may be constructed .... (step 81). If some of the results data necessary to satisfy the superset query is not present within the cache or data store, it may be obtained through standard search and retrieval techniques from one or more external or local data stores, then parsed, normalized, and properly associated with the newly formed superset query and query components within the cache or data store.
(Carter, Col. 9, line 28, through Col. 10, line 7.)

Emens does not produce an improved search result at all. Instead, *Emens* preferentially returns individual cached search results (from among a set of search results) that have been selected by users in the past.

Furthermore, there is no logical combination of *Carter* and *Emens* that produces an improved search result for the same search query for which there was a previously cached search result. In contrast, in all of the pending claims, an improved search result is produced for the same search query for which there was a previously cached search result (where both the cached search result and the improved search results comprise lists of results that satisfy the same search query). Since neither *Carter* nor *Emens*, nor any logical combination thereof produce an improved search result for the same query for which there is already cached search result, all the pending claims are patentable over the combined teachings of *Carter* and *Emens*.

B) Neither *Carter* nor *Emens* nor any logical combination thereof conditionally perform an operation based on a reuse count for a cached search result that is a list of results that satisfy a search query.

Emens discloses counting the number of times each individual search result in a set of search results is selected by the users who submitted a query, but does not teach or suggest a reuse count that "comprises a number of times that the list of results has been reused to respond to submissions of the search query." *Carter* does not teach or suggest anything about reuse counts of any type. Thus, the combined teachings of *Carter* and *Emens* does not teach conditionally performing an operation (producing an improved list of search results for a query) when a reuse count, comprising a number of times that the list of results has been

reused to respond to submissions of the search query, "is larger than the predetermined threshold count." For at least this reason, all the pending claims are patentable over the combined teachings of *Carter* and *Emens*.

Applicants further submit that neither *Getchius* nor *Schultz* supplies the missing limitations. In summary, based on the amendments to the claims, there are at least two additional reasons that all the pending claims are patentable over the combined teachings of the cited references.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

Respectfully submitted,

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